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EXAMINER	
GANTT, ALAN T	

ART UNIT	PAPER NUMBER
2684	7

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/830,750	SAITO ET AL.	
	Examiner	Art Unit	
	Alan T. Gantt	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 April 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4, 6*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-4, 7, 12-15, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato (Japanese Patent Application H10-56600), Tsukidate et al. (EP 0838951).

Regarding claim 1, Sato discloses program information searching device that automatically applies a tacit search condition maintained in a memory. Thus, Sato provides for an apparatus for transmitting program information concerning a program to be broadcast, and meets the following:

a program information database in which program information concerning a program to be broadcast is reserved (page 3, paragraph 7);

retrieving-conditions-storing-means for storing retrieving conditions which are set corresponding to a radio communication terminal (page 4, paragraph 3 [tacit search condition storage means]);

retrieving means for retrieving a program satisfying the retrieving conditions stored in said retrieving-conditions storing-means from said program information

database **(page 4, paragraph 3 [the actual tacit condition causes a sorting out of the desired program])**;

Sato is silent regarding the actual movement of this information to a desired terminal.

Tsukidate discloses a program information broadcasting system device and receiving unit. Tsukidate is concerned with preparing a master data of program guide information at a broadcasting center and then a program basic guide and then transmitting to the required terminal. With reference to the wirelessly transmitting to a radio communication terminal, Tsukidate states that the transmitting data is broadcast as a broadcasting wave signal and, thus, allows for reception by a radio receiver (col. 13, lines 38-44). Thus, Tsukidate meets the following limitation:

> transmitting means for voluntarily transmitting, when a program satisfying said retrieving conditions is retrieved by means of said retrieving means, the program information concerning said retrieved program to said radio communication terminal corresponding to said retrieving conditions **(col. 3, lines 49-57 and col. 8, lines 25-37 [the transmission control unit controls operation to transmit data])**.

Sato and Tsukidate are combinable because they share a common endeavor, namely, program information broadcast systems. At the time of the applicant's invention it would have been obvious to modify Sato to provide the program information signal to the receiver terminal without prompting by the user as done by Tsukidate do the user will be current with the latest offerings being broadcast.

Regarding claim 2, Tsukidate meets the limitation - An apparatus for transmitting program information as defined in claim 1, further comprising transmission conditions-storing-means for storing transmission conditions corresponding to said radio communication terminal, said transmission conditions being used for transmitting the program information retrieved by said retrieving means to said radio communication terminal,

wherein said transmitting means transmits the program information to said radio communication terminal corresponding to said transmission conditions, when the transmission conditions stored in said transmission-conditions-storing means are satisfied **(col. 3, lines 49-57 and col. 8, lines 25-37 [the transmission control unit controls operation to transmit data])**.

Regarding claims 3 and 14, The examiner takes Official Notice that it is well known to transmit program information to a terminal at a time that is a predetermined time before the start of the program and it would have been obvious for Sato to include such a step in order for the user to exercise his options.

Regarding claim 4, Tsukidate meets the limitations for the following: An apparatus for transmitting program information as defined in any one of claims 1 to 3, wherein the program information reserved in said program information database includes a basic information including the broadcast date and-time of the program, channel, and program name information,

and a detailed information concerning the contents of the program, the amount of said detailed information being larger than that of said basic information (col. 9, lines 10-48);

and wherein said transmitting means voluntarily transmits said basic information of the program retrieved by said retrieving means to said radio communication terminal, and subsequently transmits said detailed information of the program retrieved by said retrieving means when an instruction is provided from said radio communication terminal (col. 3, lines 12-41).

Regarding claim 7, Sato discloses program information searching device that automatically applies a tacit search condition maintained in a memory. Thus, Sato provides for a communicating system comprising a radio communication terminal for performing a radio communication; a program-information-transmitting-apparatus for transmitting information concerning a program to be broadcast to said radio communication terminal; a program-providing-apparatus for providing a program to the user when a registered user purchases the program; and a communication network connecting the apparatuses with one another,

wherein said program-information-transmitting-apparatus has a program information database in which program information concerning a program to be broadcast is reserved **(page 3, paragraph 7)**; retrieving-conditions-storing-means for storing retrieving conditions which are set corresponding to said radio communication terminal **(page 4, paragraph 3 [tacit search condition storage means])**; retrieving means for retrieving a program satisfying the retrieving conditions stored in said retrieving-conditions-storing-means from said program information database; and

transmitting means for voluntarily transmitting, when a program satisfying said retrieving conditions is retrieved by means of said retrieving means, the program information concerning the retrieved program to said radio communication terminal corresponding to said retrieving conditions; **(page 4, paragraph 3 [tacit search condition storage means])**

Sato does not elaborate on the receiver details.

Tsukidate discloses a program information broadcasting system device and receiving unit. Tsukidate is concerned with preparing a master data of program guide information at a broadcasting center and then a program basic guide and then transmitting to the required terminal. With reference to the wirelessly transmitting to a radio communication terminal, Tsukidate states that the transmitting data is broadcast as a broadcasting wave signal and, thus, allows for reception by a radio receiver (col. 13, lines 38-44). Thus, Tsukidate meets the following limitation:

said radio communication terminal has program-information-storing-means for storing a program information transmitted from said program-information-transmitting apparatus; displaying means for displaying a program information stored in said program information storing means; and purchasing-instruction-transmitting-means for transmitting purchasing-instruction-information instructing a program purchasing operation to said program-providing apparatus via said communication network; **(col. 16, lines 53-55 – uses program guide for purchasing the program)** and

said program-providing-apparatus has purchasing-information-receiving-means for receiving a purchasing instruction-information transmitted via said communication network and program-providing- means for providing a program to the user in accordance with the purchasing-instruction- information received by said purchasing-information-receiving-means. **(col. 16, lines 53-55 – uses program guide for purchasing the program)**

Sato and Tsukidate are combinable because they share a common endeavor, namely, program information broadcast systems. At the time of the applicant's invention it would have been obvious to modify Sato to provide the program information signal to the receiver terminal without prompting by the user as done by Tsukidate do the user will be current with the latest offerings being broadcast.

Regarding claim 12, Sato discloses program information searching device that automatically applies a tacit search condition maintained in a memory. Thus, Sato provides a method of wirelessly transmitting a program information concerning a program to be broadcast to a radio communication terminal, said method comprising the steps of:

a retrieving step of retrieving a program satisfying retrieving conditions, which are set, corresponding to the radio communication terminal, from a program information database in which program information concerning a program to be broadcast is reserved; **(page 3, paragraph 7)**

Sato is silent regarding the actual movement of this information to a desired terminal.

Tsukidate discloses a program information broadcasting system device and receiving unit. Tsukidate is concerned with preparing a master data of program guide information at a broadcasting center and then a program basic guide and then transmitting to the required terminal. With reference to the wirelessly transmitting to a radio communication terminal, Tsukidate states that the transmitting data is broadcast as a broadcasting wave signal and, thus, allows for reception by a radio receiver **(col. 13, lines 38-44)**. Thus, Tsukidate meets the following limitation:

> a transmitting step of, when a program satisfying said retrieving conditions is retrieved in said retrieving step, voluntarily transmitting a program information concerning the retrieved program to said radio communication terminal corresponding to said retrieving conditions. **(col. 3, lines 49-57 and col. 8, lines 25-37 [the transmission control unit controls operation to transmit data])**.

Sato and Tsukidate are combinable because they share a common endeavor, namely, program information broadcast systems. At the time of the applicant's invention it would have been obvious to modify Sato to provide the program information signal to the receiver terminal without prompting by the user as done by Tsukidate do the user will be current with the latest offerings being broadcast.

Regarding claim 13, Sato meets the limitation - A method of transmitting program information as defined in claim 12, wherein, in said transmitting step, when the transmission conditions which are set corresponding to said radio terminal are satisfied, the program in

formation retrieved in said retrieving step is transmitted to said radio communication terminal corresponding to said transmission conditions. **(col. 3, lines 49-57 and col. 8, lines 25-37 [the transmission control unit controls operation to transmit data])**.

Regarding claim 15, Tsukidate meets the limitations for the following: A method of transmitting program information as defined in any one of claims 12 to 14, wherein said program information reserved in said program information database includes a basic information including the broadcast date-and-time of the program, channel, and program name information and a detailed information concerning the contents of the program, the amount of said detailed information being larger than that of said basic information; **(col. 9, lines 10-48)**

and wherein, in said transmitting step, said basic information of the program retrieved in said retrieving step is voluntarily transmitted to said radio communication terminal, and said detailed information of the program retrieved in said retrieving step is sequentially transmitted to said radio communication terminal when an instruction is provided from said radio communication terminal **(col. 3, lines 12-41)**.

Regarding claim 19, Sato discloses program information searching device that automatically applies a tacit search condition maintained in a memory. Thus, Sato provides for an apparatus for transmitting program information concerning a program to be broadcast, and meets at least a portion of the following limitations for a program-recording-instruction-method of instructing a purchasing operation of: a program from a radio communication terminal to a

program-providing-apparatus, said program-providing-apparatus providing a registered user with a program instructed from the user to purchase it, comprising the steps of :

> a program-retrieving-step of retrieving a program satisfying the retrieving conditions which are set corresponding to a user of said radio communication terminal from a database in which program information concerning a program to be broadcast is reserved.; **(page 3, paragraph 7)**

Sato is silent regarding the actual movement of this information to a desired terminal.

Tsukidate discloses a program information broadcasting system device and receiving unit. Tsukidate is concerned with preparing a master data of program guide information at a broadcasting center and then a program basic guide and then transmitting to the required terminal. With reference to the wirelessly transmitting to a radio communication terminal, Tsukidate states that the transmitting data is broadcast as a broadcasting wave signal and, thus, allows for reception by a radio receiver **(col. 13, lines 38-44)**. Thus, Tsukidate meets the following limitation:

> a program-information-transmitting-step, in which, when a program satisfying said retrieving conditions is retrieved, a program information concerning the retrieved program is obtained from said database, so that the program information is voluntarily transmitted to said radio communication terminal; **(col. 7, line 53 to col. 8, line 37)**
>
> a program-information-displaying-step of receiving the transmitted program information at said radio terminal and displaying the received program information, so as to prompt the user to instruct the purchasing operation of the program; **(col. 12, lines 2-18)** and

a purchasing-instruction-transmitting-step, in which, when the purchasing operation of the program is instructed, the purchasing-instruction-information is transmitted from said radio communication terminal to said program-providing apparatus **(col. 16, lines 53-55 – uses program guide for purchasing the program)**.

Sato and Tsukidate are combinable because they share a common endeavor, namely, program information broadcast systems. At the time of the applicant's invention it would have been obvious to modify Sato to provide the program information signal to the receiver terminal without prompting by the user as done by Tsukidate do the user will be current with the latest offerings being broadcast.

Regarding claim 20. A method of instructing a program purchasing operation as defined in claim 19, wherein, in said program-information-transmitting-step, when the transmission conditions which are set corresponding to the user of said radio terminal are satisfied, the program information retrieved in said retrieving step is transmitted **(col. 3, lines 49-57 and col. 8, lines 25-37 [the transmission control unit controls operation to transmit data])**.

Regarding claim 21, Sato meets the limitation - A method of instructing a program purchasing operation as defined in claim 19 or 20, wherein the program information reserved in said database includes a basic information including the broadcast date-and-time of the program, channel, and program name information and a detailed information concerning the contents of the program, the amount of said detailed information being larger than that of said basic

information; and wherein, in said program-information-transmitting-step **(col. 9, lines 10-48)**, said basic information of the program retrieved in said retrieving step is voluntarily transmitted to said radio communication terminal, and said detailed information of the program retrieved in said program retrieving-step is sequentially transmitted to said radio communication terminal when an instruction is provided from said radio communication terminal **(col. 3, lines 12-41)**.

3. Claims 5, 6, 8-11, 16-18, and 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato (Japanese Patent Application H10-56600), Tsukidate et al. (EP 0838951), and further in view of Ismail et al.

Regarding claim 6, Sato discloses program information searching device that automatically applies a tacit search condition maintained in a memory. Thus, Sato provides for a communicating system comprising a radio communication terminal for performing a radio communication; a program-information-transmitting-apparatus for transmitting information concerning a program to be broadcast to said radio communication terminal; Sato meets the following limitations:

> wherein said program-information-transmitting- apparatus has a program information database in which program information concerning a program to be broadcast is reserved **(page 3, paragraph 7)**; retrieving-conditions-storing-means for storing retrieving conditions which are set corresponding to said radio communication terminal **(page 4, paragraph 3 [tacit search condition storage means])**; retrieving means for retrieving a program satisfying the retrieving conditions stored in said

retrieving-conditions-storing-means from said program information database; **(page 4, paragraph 3 [the actual tacit condition causes a sorting out of the desired program])**

Sato does not call for a program recording apparatus for recording a program to be broadcast; and a communication network connecting the apparatuses with one another.

Tsukidate discloses a program information broadcasting system device and receiving unit. Tsukidate is concerned with preparing a master data of program guide information at a broadcasting center and then a program basic guide and then transmitting to the required terminal. With reference to the wirelessly transmitting to a radio communication terminal, Tsukidate states that the transmitting data is broadcast as a broadcasting wave signal and, thus, allows for reception by a radio receiver **(col. 13, lines 38-44)**. Thus, Tsukidate meets the following limitation:

transmitting means for voluntarily transmitting, when a program satisfying said retrieving conditions is retrieved by means of said retrieving means, the program information concerning said retrieved program to said radio communication terminal corresponding to said retrieving conditions **(col. 3, lines 49-57 and col. 8, lines 25-37 [the transmission control unit controls operation to transmit data]).**

Neither Sato nor Tsukidate involve setting up for remote recording.

Ismail discloses a system for recording television programs for subsequent view by a user that includes a preference determination module, which is responsive to attribute information associated with television programs viewed by the user and generates recordation preference information indicative of television viewing preferences of the user. Ismail meets the following limitations:

said radio communication terminal has program-information-storing-means for storing a program information transmitted from said program-information-transmitting-apparatus **(paragraph 0021)**; displaying means for displaying a program information stored in said program-information-storing-means **(paragraph 0021)**; and recording-instruction-transmitting-means for transmitting recording-instruction-information instructing a program recording operation to said program recording apparatus via said communication network; **(paragraph 0054 and 0055)** and

said program recording apparatus has instruction-information-receiving-means for receiving said recording instruction-information transmitted via said communication network and recording -operation-executing-means for recording a program to be broadcast in accordance with the recording-instruction-information received by said instruction information-receiving-means. **(paragraphs 0066-0068)**

Sato, Tsukidate, and Ismail are combinable because they share a common endeavor, namely, program information broadcast systems. At the time of the applicant's invention it would have been obvious to modify Sato to provide the program information signal to the receiver terminal without prompting by the user as done by Tsukidate and to record programs based on user preference as done by Ismail in order to provide maximum personalized programming coverage to the user.

Regarding claim 5, Ismail meets the following limitation - An apparatus for transmitting program information as defined in any one of claims 1 to 3, said apparatus further comprising:

history-information-obtaining-means for obtaining history information concerning a watching operation, a recording operation or both of these operations of the user, for the program broadcast in the past; and retrieving-conditions-writing-means for setting, based on the history information obtained by said history-information-obtaining-means, the retrieving conditions corresponding to said radio communication terminal of said user, so as to write the retrieving conditions into said retrieving-conditions--storing-means. **(paragraph 0021 - 0024)**

Regarding claim 8, Sato meets the limitation - A communicating system as defined in claim 6 or 7, wherein said program-information-transmitting-apparatus further comprises transmission-conditions-storing-means for storing transmission conditions corresponding to said radio terminal, said transmission conditions being used for transmitting the program information retrieved by said retrieving means to said radio communication terminal;

> wherein said transmitting means transmits the program information to said radio communication terminal corresponding to said transmission conditions, when the transmission conditions stored in said transmission-conditions-storing means are satisfied. **(col. 3, lines 49-57 and col. 8, lines 25-37 [the transmission control unit controls operation to transmit data]).**

Regarding claim 9, the examiner takes Official Notice that it is well known to transmit program information to a terminal at a time that is a predetermined time before the start of the program and it would have been obvious for Sato to include such a step in order for the user to exercise his options.

Regarding claim 10, Tsukidate meets the limitation - A communicating system as defined in claim 6 or 7, wherein the program information reserved in said program information database includes a basic information including the broadcast date-and-time of the program, channel, and program name information and a detailed information concerning the contents of the program, the amount of said detailed information being larger than that of said basic information; **(col. 9, lines 10-48)**

said transmitting means voluntarily transmits said basic information of the program retrieved by said retrieving means to said radio communication terminal, and subsequently transmits said detailed information of the program retrieved by said retrieving means when an instruction is provided from said radio communication terminal **(col. 3, lines 12-41)**.

Regarding claim 11, Ismail meets the limitation - A communicating system as defined in claim 6 or 7, said system further comprising history-information-obtaining-means connectable to said communication network, for obtaining history information concerning a watching operation, a recording operation or both of these operations, of the user, for the program broadcast in the past, so as to transmit the history information to said program information-transmitting-apparatus; **(paragraph 0023 and 0024)**

wherein said program-information-transmitting-apparatus has retrieving conditions-writing-means for setting, based on the history information transmitted from said history-information-obtaining-means, the retrieving conditions corresponding to said radio

communication terminal of said user, so as to write the retrieving conditions into said retrieving-conditions-storing-means. **(paragraphs 0021 and 0022)**

Regarding claim 16, Sato discloses program information searching device that automatically applies a tacit search condition maintained in a memory. Thus, Sato provides for an apparatus for transmitting program information concerning a program to be broadcast, and meets at least a portion of the following limitations for a program-recording-instruction-method of instructing a recording operation of a program from a radio communication terminal to a program-recording-apparatus for recording a program to be broadcast, comprising the steps of:

> a program-retrieving-step of retrieving a program which satisfies retrieving conditions preset by a user of said radio communication terminal, from a database in which program information concerning a program to be broadcast is reserved; **(page 3, paragraph 7)**

Sato is silent regarding the actual movement of this information to a desired terminal.

Tsukidate discloses a program information broadcasting system device and receiving unit. Tsukidate is concerned with preparing a master data of program guide information at a broadcasting center and then a program basic guide and then transmitting to the required terminal. With reference to the wirelessly transmitting to a radio communication terminal, Tsukidate states that the transmitting data is broadcast as a broadcasting wave signal and, thus, allows for reception by a radio receiver **(col. 13, lines 38-44)**. Thus, Tsukidate meets the following limitations:

a program-information-transmitting-step, in which, when a program satisfying said retrieving conditions is retrieved, a program information concerning the retrieved program is obtained from said database, so that the program information is voluntarily transmitted to said radio communication terminal; **(col. 7, line 53 to col. 8, line 37)**

a program-information-displaying-step of receiving the transmitted program information at said radio terminal and displaying the received program information, so as to prompt the user to instruct the recording operation of the program; **(col. 12, lines 2-18)**

Neither Sato nor Tsukidate involves instruction for recording devices.

Ismail discloses a system for recording television programs for subsequent view by a user that includes a preference determination module, which is responsive to attribute information associated with television programs viewed by the user and generates recordation preference information indicative of television viewing preferences of the user. Ismail meets the following limitation:

a recording-instruction-transmitting-step, in which, when the recording operation of the program is instructed, recording-instruction-information is transmitted from said radio communication terminal to said program-recording apparatus **(paragraphs 0066-0068)**.

Sato, Tsukidate, and Ismail are combinable because they share a common endeavor, namely, program information broadcast systems. At the time of the applicant's invention it would have been obvious to modify Sato to provide the program information signal to the receiver terminal without prompting by the user as done by Tsukidate and to record programs

based on user preference as done by Ismail I order to provide maximum personalized programming coverage to the user.

Regarding claim 17, (Once Amended) A method of instructing a program recording operation as defined in claim 16, wherein, in said program-information-transmitting-step, when the transmission conditions which are set corresponding to the user of said radio terminal are satisfied, the program information retrieved in said retrieving step is transmitted. **(col. 3, lines 49-57 and col. 8, lines 25-37 [the transmission control unit controls operation to transmit data]).**

Regarding claim 18, Tsukidate meets the limitations for the following: A method of instructing a program recording operation as defined in claim 16 or 17, wherein the program information reserved in said database includes a basic information including the broadcast date-and-time of the program, channel, and program name information and a detailed information concerning the contents of the program, the amount of said detailed information being larger than that of said basic information; **(col. 9, lines 10-48)**

and wherein, in said program-information-transmitting-step, said basic information of the program retrieved in said program retrieving step is voluntarily transmitted to said radio communication terminal, and said detailed information of the program retrieved in said retrieving step is sequentially transmitted to said radio communication terminal when an instruction is provided from said radio communication

terminal **(col. 3, lines 12-41)**.

Regarding claim 22, Ismail meets the limitation - An apparatus for transmitting program information as defined in claim 4, said apparatus further comprising: history-information-obtaining-means for obtaining history information concerning a watching operation, a recording operation or both of these operations of the user, for the program broadcast in the past; **(paragraph 0023 and 0024)** and

retrieving-conditions-writing-means for setting, based on the history information obtained by said history-information-obtaining-means, the retrieving conditions corresponding to said radio communication terminal of said user, so as to write the retrieving conditions into said retrieving-conditions-storing-means. **(paragraphs 0021 and 0022)**

Regarding claim 23, Sato meets the limitation - A communicating system as defined in claim 8, wherein the program information reserved in said program information database includes a basic information including the broadcast: date-and-time of the program, channel, and program name information and a detailed information concerning the contents of the program, the amount of said detailed information being larger than that of said basic information **(col. 9, lines 10-48)**;

said transmitting means voluntarily transmits said basic information of the program retrieved by said retrieving means to said radio communication terminal, and subsequently transmits said detailed information of the program retrieved by said program satisfying said retrieving conditions is retrieved by means of said retrieving means, the program

information concerning said retrieved program to said radio communication terminal corresponding to said retrieving conditions **(col. 3, lines 12-41)**.

Regarding claim 24, Sato meets the limitation - A communicating system as defined in claim 9, wherein the program information reserved in said program information database includes a basic information including the broadcast date-and-time of the program, channel, and program name information and a detailed information concerning the contents of the program, the amount of said detailed information being larger than that of said basic information **(col. 9, lines 10-48)**; said transmitting means voluntarily transmits said basic information of the program retrieved by said retrieving means to said radio communication terminal, and subsequently transmits said detailed information of the program retrieved by said retrieving means when an instruction is provided from said radio communication terminal **(col. 3, lines 12-41)**.

Regarding claim 25, Ismail meets the limitation _ A communicating system as defined in claim 8, said system further comprising history-information-obtaining-means connectable to said communication network, for obtaining history information concerning a watching operation, a recording operation or both of these operations, of the user, for the program broadcast in the past, so as to transmit the history information to said program-information-transmitting-apparatus; **(paragraph 0023 and 0024)**

wherein said program-information-transmitting-apparatus has retrieving-conditions-writing-means for setting, based on the history information transmitted from said history-information-obtaining-means, the retrieving conditions corresponding to said radio

communication terminal of said user, so as to write the retrieving conditions into said retrieving-conditions-storing-means. **(paragraphs 0021 and 0022)**

Regarding claim 26. Ismail meets the limitations - A communicating system as defined in claim 9, said system further comprising history-information-obtaining-means connectable to said communication network, for obtaining history information concerning a watching operation, a recording operation or both of these operations, of the user, for the program broadcast in the past, so as to transmit the history information to said program-information-transmitting apparatus; **(paragraph 0023 and 0024)**

wherein said program-information-transmitting-apparatus has retrieving-conditions-writing-means for setting, based on the history information transmitted from said history-information-obtaining-means, the retrieving conditions corresponding to said radio communication terminal of said user, so as to write the retrieving conditions into said retrieving-conditions-storing-means. **(paragraphs 0021 and 0022)**

Regarding claim 27, Ismail meets the limitations - A communicating system as defined in claim 10, said system further comprising history-information-obtaining-means connectable to said communication network, for obtaining history information concerning a watching operation, a recording operation or both of these operations, of the user, for the program broadcast in the past, so as to transmit the history information to said program-information-transmitting-apparatus, **(paragraph 0023 and 0024)**

wherein said program-information-transmitting-apparatus has retrieving-conditions-writing-means for setting, based on the history information transmitted from said history-information-obtaining-means, the retrieving conditions corresponding to said radio communication terminal of said user, so as to write the retrieving conditions into said retrieving-conditions-storing-means. **(paragraphs 0021 and 0022)**

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nickum discloses a personal preferred viewing system and method using an electronic program guide.

Dunn et al. discloses an interactive entertainment network system and method for customizing operation according to view preferences.

Any inquiry concerning this communication from the examiner should be addressed to Alan Gantt at telephone number (703) 305-0077. The examiner can normally be reached between 9:30 AM and 6 PM within the Eastern Time Zone. The group FAX number is (703) 872-9306.

Any inquiry of a general nature or relating to this application should be directed to the group receptionist at telephone number (703) 305-4700.

Alan T. Gantt

Alan T. Gantt

June 25, 2004

NICK CORSARO
PATENT EXAMINER